

FORTY-FIRST DAY

(Tuesday, March 19, 1963)

The Senate met at 10:15 a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Resolution 284

Senator Richter offered the following resolution:

Whereas, The present administrative structure of the public schools at the local level is much the same as that which served the State more than half a century ago; and

Whereas, The office of county superintendent was created at a time when travel facilities were limited and cumbersome and communications were difficult, and each county had a large number of very small schools in need of a readily accessible, centrally located administrative office; and

Whereas, Functions and duties of the office recognized the concept that control of the local schools belongs in local communities where a greater understanding of need exists; and

Whereas, The changing economy of the state has been accompanied by a diminishing number of common school districts, a growing number of independent school districts, migration of

rural population to urban centers, advances in transportation and communication and new educational demands which have awakened interest among professional and lay citizens in re-examining the role of the office of county superintendent; and

Whereas, The many changes have raised the question in many communities of whether local districts, with their limited resources, will be able without additional assistance to achieve an acceptable standard that will meet the over-all aim of public education; and

Whereas, During the past two sessions of the Texas Legislature, numerous measures have been introduced, and a number passed, which have completely abolished the office of county superintendent in certain counties; and

Whereas, The term of office of most elective county superintendents expires December 31, 1966; and

Whereas, Before new elections are held, and in sufficient time to provide a period of transition should a change in administrative procedures be indicated, a complete study should be made of the duties and functions of the county superintendent, as related to the technological progress and complex changes involved in the pattern of Twentieth Century living; and

Whereas, The main objective of our public schools is to provide the best possible educational opportunities so that each educable child may develop to the full extent of his ability; now therefore be it

Resolved, by the Senate of the State of Texas, That the Texas Legislative Council be requested to make a complete study of the office of county superintendent, the functions and duties now performed by that official, and the current role and scope of the office in attaining for Texas school children the best educational opportunities possible; and be it further

Resolved, That the study also include suggestions for a program or programs to be instituted to carry on the duties and functions now being performed by the county superintendent; and be it further

Resolved, That the Council be requested to report its findings and recommendations, together with drafts of proposed legislation, to the Regular Session of the Fifty-ninth Legislature.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Resolution 285

Senator Hardeman offered the following resolution:

Whereas, Wednesday, March 20, 1963 marks the 75th anniversary of the birth of a distinguished former public official of this State, who has filled many offices including County Judge of Kimble County, State Representative, Speaker of the House of Representatives, Lieutenant Governor and Governor of this State; and

Whereas, Former Governor Coke Stevenson made many valuable contributions to the betterment of his State and Country and is particularly remembered for his bringing the State budget from a column of red figures to a balanced budget on a "pay-as-you-go" basis; and

Whereas, Governor Stevenson is actively engaged in ranching in Kimble County where he is noted for his energy and his hill country philosophy; and

Whereas, He resides at his ranch with his wife and seven year old daughter, Jane, who is the apple of his eye; and

Whereas, It is the desire of the Senate, over which he presided, to extend congratulations to Governor Stevenson and to wish him well in all respects, Now, therefore, be it

Resolved by the Senate of Texas, That it does hereby extend its congratulations and good wishes to Governor Stevenson and that a copy of this Resolution under the Seal of the Senate be transmitted to him by the Secretary of the Senate.

HARDEMAN
CRUMP
AIKIN
MOFFETT
HAZLEWOOD
OWEN
PARKHOUSE

The resolution was read and was adopted.

Senate Resolution 279 Withdrawn

The President laid before the Senate as pending business S. R. No. 279 (The resolution having been read the second time on yesterday).

Question—Shall S. R. No. 279 be adopted?

Senator Moore by unanimous consent withdrew the resolution.

Senate Concurrent Resolution 40

Senator Bates offered the following resolution:

S. C. R. No. 40, Granting J. W. Luttet et al. permission to sue the State.

Whereas, J. W. Luttet of Cameron County, Texas, is the owner of Coast Land Farms Subdivision No. 1 of the Potrero de la Buena Vista Grant in Cameron County, Texas, originally granted by the State of Tamaulipas to Manuel de la Garza Sosa on or about the 26th day of January, 1829, and thereafter confirmed by the State of Texas by the Act of February 10, 1952, and which grant was bounded on the East by the Laguna Madre, and subsequent to said grant 1,812 acres of land, more or less, has been formed between the eastern boundary of said Coast Land Farms Subdivision No. 1 and the line of mean higher high tide of the Laguna Madre, described as follows:

1,812 acres of land, more or less, bounded on the west by the Coast Land Farms Subdivision No. 1, as such subdivision is shown on map recorded in Volume 8, at page 15, of the Map Records of Cameron County, Texas; on the south by the easterly projection of the north line of the Gonzales League; on the east by Laguna Madre; and on the North by a line projected east from the northern extremity of the peninsula known as Townsite Point to Laguna Madre; said land being more particularly described as follows:

Beginning at the southeast corner of Tract 6 of said Coast Land Farms Subdivision No. 1 of the Buena Vista Grant as shown on plat recorded in Volume 8, page 15, of the Map Records of Cameron County, Texas; being a point on the north line of that certain tract known as the Gonzales League as described in the partition deed between the heirs of James G. Browne and F. Gonzales, dated September 6, 1913, recorded in Volume 28, pages 627-31, of the Deed Records of Cameron County, Texas, for the southwest corner of the herein described tract;

Thence in an east or southeasterly direction with a projection of the north line of the said Gonzales League to its intersection with the line of Mean Higher High Tide of Laguna Madre;

Thence in a general northerly direction along the west side of Laguna Madre, following the line of Mean Higher High Tide, to a point located due East of the north or northeast corner of Tract 62 of the said Coast Land Farms Subdivision No. 1; said point constituting an easterly extension of the north line of said Tract 62 to the west line of said Mean Higher High Tide of said Laguna Madre;

Thence due west to the north or northeast corner of said Tract 62 of the Coast Land Farms Subdivision No. 1;

Thence in a general south or south-westerly direction, following the meanders of the east lines of said Coast Land Farms Subdivision No. 1 to the place of beginning; and;

Whereas, J. W. Luttes has executed an oil and gas lease in favor of Shell Oil Company covering the above described 1,812 acres of land and said J. W. Luttes and Shell Oil Company claim that said 1,812 acres of land represents accretion to said Coast Land Farms Subdivision No. 1 and is owned by said J. W. Luttes and his Lessee, Shell Oil Company; and

Whereas, The State of Texas claims title to said 1,812 acres; and

Whereas, It is to the best interest of the State of Texas, J. W. Luttes and Shell Oil Company to have a judicial determination made as to the ownership of said 1,812 acres of land and location of the boundary separating the State owned submerged lands from the privately owned lands of J. W. Luttes and to do so it is necessary that permission to sue the State be given to J. W. Luttes and/or Shell Oil Company; Now, therefore, be it

Resolved by the Senate of Texas of the State of Texas, the Senate concurring, That J. W. Luttes and/or Shell Oil Company be, and they are hereby granted permission to sue the State of Texas, in any case now pending in any Court of competent jurisdiction in this State, or which may hereafter be filed for title and possession of said above described 1,812 acres of land, and for declaratory judgment locating and fixing the boundary separating the State owned

submerged lands in the Laguna Madre and the lands in said grant owned by J. W. Luttes and Shell Oil Company, and to determine the ownership of oil, gas, and other minerals which have heretofore and may hereafter be produced from said 1,812 acres of land and the right to the proceeds realized from the sale of oil, gas, and other minerals which have heretofore been and may hereafter be produced from said 1,812 acres of land. The service of citation or other process may be had upon the Attorney General of Texas and the Commissioners of the General Land Office of Texas and either party shall have the right of appeal as provided by law.

The sole purpose of this Resolution is to grant permission to J. W. Luttes and/or Shell Oil Company to sue the State of Texas, and nothing herein shall be construed as an admission against the State of Texas of any facts or the rights of either party in or to such land or the true boundary between the State owned submerged lands in the Laguna Madre and the lands owned by J. W. Luttes and/or his Lessee, Shell Oil Company.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Bill 2 on Third Reading

Senator Hardeman moved to suspend the regular order of business and take up S. B. No. 2 for consideration at this time on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Kazen
Bates	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Crump	Ratliff
Dies	Reagan
Hall	Rogers
Hardeman	Schwartz
Harrington	Strong
Haslewood	Watson

Nays—6

Colson	Krueger
Creighton	Richter
Herring	Word

AbsentKennard
Moore

Spears

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 2, A bill to be entitled "An Act creating and establishing Angelo State College at San Angelo as a co-educational institution of higher learning, etc., and declaring an emergency."

The bill was read third time and was passed.

Record of Votes

Senators Dies, Krueger, Strong, Colson, Richter, Creighton, Word and Herring asked to be recorded as voting "Nay" on the final passage of S. B. No. 2.

Senate Bill 7 on Second Reading

Senator Bates moved to suspend the regular order of business and take up S. B. No. 7 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Cole	Patman
Crump	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Schwartz
Hazlewood	Strong
Kazen	Watson
Kennard	

Nays—9

Calhoun	Krueger
Colson	Parkhouse
Creighton	Rogers
Dies	Word
Herring	

Absent

Spears

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 7, A bill to be entitled "An Act creating Pan American Col-

lege as a state supported institution of higher education; etc., and declaring an emergency."

The bill was read second time.

Senator Dies offered the following amendment to the bill:

Amend Senate Bill No. 7 by adding to Section 9 thereof the following: "All appropriations for and financing of this institution must be made from new revenues and no moneys may be appropriated for this institution from existing tax or revenues."

The amendment was read.

On motion of Senator Bates the amendment was tabled by the following vote:

Yeas—21

Aikin	Moffett
Bates	Owen
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Watson
Kazen	

Nays—10

Colson	Krueger
Creighton	Moore
Dies	Rogers
Herring	Strong
Kennard	Word

Question on passage of S. B. No. 7 to engrossment, yeas and nays were demanded.

S. B. No. 7 was passed to engrossment by the following vote:

Yeas—18

Aikin	Moffett
Bates	Owen
Blanchard	Patman
Cole	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Schwartz
Hazlewood	Spears
Kazen	Watson

Nays—12

Calhoun	Crump
Colson	Dies
Creighton	Herring

Kennard	Rogers
Krueger	Strong
Parkhouse	Word

Absent

Moore

Motion to Place
Senate Bill 7 on Third Reading

Senator Bates moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 7 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—21

Aikin	Owen
Bates	Parkhouse
Blanchard	Patman
Cole	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Schwartz
Hazlewood	Spears
Kazen	Strong
Kennard	Watson
Moffett	

Nays—9

Calhoun	Herring
Colson	Krueger
Creighton	Rogers
Crump	Word
Dies	

Absent

Moore

Motion to Place
Senate Bill 82 on Second Reading

Senator Owen moved to suspend the regular order of business and take up S. B. No. 82 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Cole	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Rogers
Hazlewood	Watson
Kazen	

Nays—14

Calhoun	Krueger
Colson	Parkhouse
Creighton	Richter
Crump	Schwartz
Dies	Spears
Herring	Strong
Kennard	Word

Motion to Place
Senate Bill 16 on Second Reading

Senator Kazen moved to suspend the regular order of business and take up S. B. No. 16 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Aikin	Kazen
Bates	Moffett
Blanchard	Moore
Cole	Owen
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Watson

Nays—15

Calhoun	Parkhouse
Colson	Richter
Creighton	Rogers
Crump	Schwartz
Dies	Spears
Herring	Strong
Kennard	Word
Krueger	

Presentation of Guests

Senator Cole by unanimous consent presented his sister, Mrs. Gladys Gibson, and Mrs. Carrie Stamford of San Antonio to the Members of the Senate.

Motion to Place
Senate Bill 100 on Second Reading

Senator Creighton moved to suspend the regular order of business and take up S. B. No. 100 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—14

Creighton	Kazen
Crump	Krueger
Hardeman	Moffett

Moore	Reagan
Owen	Richter
Patman	Rogers
Ratliff	Watson

Nays—16

Aikin	Hazlewood
Blanchard	Herring
Calhoun	Kennard
Cole	Parkhouse
Colson	Schwartz
Dies	Spears
Hall	Strong
Harrington	Word

Absent

Bates

Senate Bill 142 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 142, A bill to be entitled "An Act authorizing cities of 600,000 or more population according to the last preceding or any future federal census, to create a metropolitan transit authority, which shall have the power and authority to acquire, own, establish and operate transit facilities; providing a short title for the act; defining certain terms; prescribing the manner of creation of such authority; defining the powers and duties of such authority and providing for the exercise of such powers; providing that such authority shall have no power of taxation but exempting its property from taxation; providing for a savings clause; and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following committee amendment to the bill:

Amend Section 5 of Senate Bill No. 142 by adding thereto a new subsection to be known as (q) to read as follows:

"(q) In the event the Authority should acquire in whole or the major part of an existing transit system located in the principal city, then it shall take over the employees of such systems who desire employment with the Authority, and said employees shall be given recognition for their

previous training and experience, insofar as is practicable. However, nothing in this section shall be construed to mean that the Authority shall be required to employ any person whose position is not carried over. Any employee of the Transit Authority who may be discharged or reduced to a lower grade of employment, shall, in the event such employee feels aggrieved by the action, have the right to appeal such discharge or reduction to the Civil Service Trial Board of the City under the same rules and regulations as are provided for other employees by the City Charter."

The committee amendment was adopted.

Senator Parkhouse offered the following committee amendment to the bill:

Amend Section 5 of Senate Bill No. 142 by adding thereto a new subsection to be known as (r) to read as follows:

"(r) In the event the Authority should acquire an existing transit system in whole, or the major part thereof, it shall take over the assets and liabilities of any retirement system that the employees of such transit system may have in existence at the time of acquisition, and administer and support the same. In addition thereto, the Board shall have the authority, in its discretion, to create and support its own retirement system for the benefit of its employees or it may enter into a contract with an insurance company or affiliate itself with any retirement system that may be operated for the benefit of public employees authorized by the State Law."

The committee amendment was read.

Senator Parkhouse offered the following substitute for the pending committee amendment:

Amend Section 5 of Senate Bill No. 142 by adding thereto a new subsection to be known as (r) to read as follows:

"(r) In the event the Authority should acquire an existing transit system in whole, or the major part thereof, it shall take over the assets and liabilities of any retirement system that the employees of such trans-

it system may have in existence at the time of acquisition with social security rights as accorded other city employees, and administer and support the same, provided, however, such system shall not be altered, changed, amended or abandoned without the approval of sixty (60) per cent of the members affected by said presently existing retirement system. In addition thereto, the Board shall have the authority, in its discretion, to create and support its own retirement system for the benefit of its employees or it may enter into a contract with an insurance company or affiliate itself with any retirement system that may be operated for the benefit of public employees authorized by the State law."

The substitute for the committee amendment was adopted.

The committee amendment as substituted was then adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was then passed to engrossment.

Record of Votes

Senators Schwartz, Harrington and Crump asked to be recorded as voting "Nay" on the passage of S. B. No. 142 to engrossment.

Motion to Place Senate Bill 142 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 142 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—18

Aikin	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moffett
Colson	Parkhouse
Creighton	Patman
Hall	Ratliff
Hardeman	Reagan
Hazlewood	Strong

Nays—11

Crump	Richter
Dies	Rogers
Harrington	Schwartz
Herring	Spears
Moore	Watson
Owen	

Absent

Bates	Word
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Senate Joint Resolution 7 on Second Reading

Senator Dies asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 7 for consideration at this time.

There was objection.

Senator Dies then moved to suspend the regular order of business and take up S. J. R. No. 7 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moore
Bates	Owen
Blanchard	Patman
Colson	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson
Moffett	Word

Nays—8

Calhoun	Hardeman
Cole	Krueger
Creighton	Parkhouse
Crump	Ratliff

Absent

Hazlewood

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 7, Proposing an Amendment to the Constitution of the State of Texas authorizing the issuance of State bonds for the purpose of financing a program for loans to individuals, partnerships and corporations to encourage the development of industries in this State, and providing for administration of the program.

The resolution was read second time.

Senator Dies offered the following committee amendment to the resolution:

Amend S. J. R. No. 7 by striking therefrom paragraph six (6) which begins "Any municipality in this State . . ." etc., and substituting therefor the following:

Any municipality (i. e. incorporated city, town or village) in this State upon petition of qualified electors residing therein, equal in number to five per cent (5%) of the entire vote cast for Governor in such municipality at the last preceding General Election, may hold an election for the purpose of forming an industrial district. The district may be created only after a favorable vote of the voters of such municipality. Five Commissioners shall be elected in each district who shall be elected in such manner and for such terms, not to exceed six (6) years, and who shall have such powers and duties consistent with the Constitution of Texas as the Legislature shall prescribe.

The committee amendment was read.

Senator Dies offered the following substitute for the pending committee amendment:

Amend Senate Joint Resolution No. 7 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That Article III of the Constitution of the State of Texas be amended by adding a new section thereto, designated as Section 50-b, to read as follows:

"Section 50-b. The Legislature is authorized to create a Board to be known as the Texas Industrial Development Authority, for the purpose of administering the provisions of this section. The Board shall be composed of three members, consisting of a Chairman and two other members who shall be citizens of this State, to be appointed by the Governor, with the advice and consent of the Senate. The term of office of the Chairman shall be for four (4) years. The initial appointments of the other two members shall be for a term of two (2) years, and thereafter the term

shall be for four (4) years. The Chairman and the appointive members shall each receive an annual salary in such amount as the Legislature may fix, and each shall make bond in such amount as may be prescribed by the Legislature.

"Upon authorization of the Legislature, the Industrial Development Authority may issue bonds of the State of Texas in an amount not to exceed Two Hundred Million Dollars (\$200,000,000) for the purpose of creating a fund to be known as the Texas Industrial Development Fund. Such bonds shall be issued by the Authority as an obligation of the State of Texas, in such form, denominations, and upon such terms as the Legislature may prescribe; provided, however, that the bonds shall bear interest at a rate not to exceed four per cent (4%) per annum, shall mature not to exceed forty (40) years from the date of issue, shall be sold for not less than par value and accrued interest, and shall not be issued or sold after December 31, 1984. All bonds issued hereunder shall, after approval by the Attorney General of Texas, registration by the Comptroller of the State of Texas, and delivery to the purchasers, be incontestable and constitute obligations of the State under the Constitution of Texas.

"The Industrial Development Fund shall be used by the Authority for the sole purpose of making loans as herein authorized and paying administrative expenses of the Authority, except that the Legislature may provide for investment of the portion of the Fund not immediately committed for loans and administrative expenses, the income therefrom to become a part of the Industrial Development Fund. The Legislature may also provide for payment of administrative expenses from other funds which may lawfully be appropriated for that purpose. Administrative expenses shall be paid only upon appropriation by the Legislature, but moneys in the Industrial Development Fund may be paid out as loans without the necessity of any further appropriation.

"Legislation authorizing the issuance of bonds under this section shall provide the necessary laws for creation and functioning of industrial districts as authorized in this section.

"Any municipality (i.e., incorporated city, town or village) in this State or any combination of municipi-

palities, upon petition of qualified electors residing therein equal in number to five per cent of the entire vote cast for Governor in such municipality or municipalities at the last preceding general election, may hold an election for the purpose of forming an industrial district. The district may be created only after a favorable vote of the voters of each separate municipality. Five commissioners shall be elected in each district, who shall be elected in such manner and for such terms, not to exceed six years, and who shall have such powers and duties, consistent with the Constitution of Texas, as the Legislature may prescribe.

"Upon approval of an application by an industrial district, any individual, partnership or corporation may apply to the Industrial Development Authority for a loan for the purpose of making capital expenditures for establishing a new industry or expanding an existing industry within this State. As used herein, the term "industry" means a business enterprise for producing, manufacturing or processing commercial products. The application shall be supported by such evidence as the Authority may demand, subject to such requirements as the Legislature may impose. Upon examination of the application and investigation by the Authority, the Authority shall have the discretion to approve or reject the application and, upon approval of an application, to make a loan to the applicant in an amount not to exceed One Million Dollars (\$1,000,000) and not to exceed seventy per cent of the total cost of the proposed installation. Loans shall be made on such terms and conditions as the Legislature may authorize, subject to the conditions that each loan shall be repayable within a period not to exceed forty years and shall bear interest at a rate of not less than three per cent (3%) per annum, and the State shall have a first lien on the entire installation until the principal and interest have been paid in full. No loan shall be made after December 31, 1984.

"Legislation authorizing the issuance of bonds shall provide for creation and maintenance of a fund, out of interest and principal payments on loans, for retirement of the bonds issued by the Authority and payment of interest thereon, and shall also provide for supplementation of the

fund out of the general revenues of the State where necessary to meet bond interest and principal payments as they become due. The Legislature may provide for deposit of any surplus received prior to January 1, 1984, in the Industrial Development Fund for further loans or for deposit to the General Revenue Fund, as it seems advisable. After December 31, 1984, any surplus above principal and interest requirements on bonds and any balance remaining in the Industrial Development Fund shall be deposited to the General Revenue Fund. Funds borrowed from the fund created herein may be used with funds borrowed from other sources, as for example, the Area Redevelopment Administration. Where the funds borrowed from the source created by this amendment do not exceed ten per cent (10%) of the entire loan, then the State of Texas may take a subordinate lien.

"After December 31, 1984, the Industrial Development Authority shall consist of the Chairman only, and he shall perform all further duties of the Board with respect to retirement of bonds, collection of loans and all other matters within the jurisdiction of the Authority."

"Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1983, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment authorizing the issuance of State bonds for the purpose of financing a program for loans to individuals, partnerships and corporations to encourage the development of industries in this State, and providing for administration of the program."

"AGAINST the Constitutional amendment authorizing the issuance of State bonds for the purpose of financing a program for loans to individuals, partnerships and corporations to encourage the development of industries in this State, and providing for administration of the program."

"Section 3. The Governor of Texas shall issue the necessary proclamation for the election and this amendment shall be published and the election shall be held as required by the Constitution and laws of this State."

The substitute for the pending committee amendment was adopted.

The committee amendment as substituted was then adopted.

Senator Spears offered the following amendment to the resolution:

Amend S. J. R. 7, p. 3, last line of the substitute amendment by striking the word "seems" and substituting in lieu thereof the word "deems."

The amendment was adopted.

On motion of Senator Dies and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

Question—Shall S. J. R. No. 7 be passed to engrossment?

Recess

On motion of Senator Kazen the Senate at 12:00 o'clock noon took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Senate Joint Resolution 7 on Second Reading

The Senate resumed the consideration of the pending business, same being S. J. R. No. 7 on its second reading and passage to engrossment. (The resolution having been read the second time this morning.)

Question—Shall S. J. R. No. 7 be passed to engrossment?

Senator Calhoun offered the following amendment to the resolution:

Amend S. J. R. No. 7, page 3, line 19, by striking the words "three per cent (3%)" and adding in lieu thereof the words "four per cent (4%)."

The amendment was adopted.

S. J. R. No. 7 as amended was passed to engrossment.

Record of Vote

Senators Parkhouse and Calhoun asked to be recorded as voting "Nay" on the passage of S. J. R. No. 7 to engrossment.

Motion to Place Senate Joint Resolution 7 on Third Reading

Senator Dies moved that the Constitutional Rule and Senate Rules 32 and 45 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 7 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the members present):

Yeas—20

Aikin	Moore
Bates	Owen
Colson	Patman
Creighton	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—11

Blanchard	Krueger
Calhoun	Moffett
Cole	Parkhouse
Crump	Ratliff
Hardeman	Reagan
Hazlewood	

Senate Resolution 289

Senator Hazlewood offered the following resolution:

Whereas, We are honored to have as a visitor in the Senate today Mr. Cal Farley, one of the greatest Americans living today; and

Whereas, This man is an Iowan by birth, a Minnesotan by circumstance, but a Texan by choice, and

Whereas, Mr. Farley is the founder of BOYS RANCH, a home for boys located at Tascosa in the Panhandle of Texas; and

Whereas, This man has dedicated his life since 1939 to the principle that "It's Where You're Going that Counts" and has devoted his time and energies to helping the boys in his care to determine where they are going—and to help them obtain the education and training which will enable them to be happy and useful citizens; and

Whereas, The work Mr. Farley is doing is of benefit not only to the boys themselves but to the entire State

of Texas and to our Nation as well; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Hazlewood by unanimous consent presented Mr. Farley to the Members of the Senate.

Reports of Standing Committees

Senator Dies by unanimous consent submitted the following reports:

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 326, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 332, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 422, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to which was referred S. B. No. 349, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 430, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass in its present form and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 412, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass in its present form, and be printed.

DIES, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 18, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed.

ROGERS, Chairman.

Senator Crump by unanimous consent submitted the following report:

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education to which was referred H. B. No. 496, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass as amended, and be printed.

CRUMP, Chairman.

Senator Dies by unanimous consent submitted the following reports:

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 324, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

Austin, Texas,
March 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 281, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

Minority Report on Senate Joint Resolution 18

Senator Spears submitted the following minority report on S. J. R. No. 18:

We, the following members of the Constitutional Amendments Committee do hereby give notice under Senate Rule 110 of a favorable minority report for S. J. R. 18 and within the required ten days a motion will be made to substitute this minority report for the majority report. We were present at the committee hearing and voted on the minority side.

SPEARS
KENNARD
SCHWARTZ
KAZEN

Senate Bill 412 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent S. B. No. 412 was ordered not printed.

Senate Bill 430 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent S. B. No. 430 was ordered not printed.

Senate Bill 142 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Strong
Hazlewood	Watson
Kazen	Word

Nays—4

Harrington	Schwartz
Herring	Spears

Absent

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 349 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. B. No. 349 was ordered not printed.

Senate Joint Resolution 1 on Second Reading

Senator Kazen asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

There was objection.

(Senator Aikin in the Chair.)

Senator Kazen then moved to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Kennard
Bates	Krueger
Cole	Moore
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—7

Blanchard	Parkhouse
Calhoun	Ratliff
Crump	Rogers
Hardeman	

Absent

Moffett	Owen
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The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 1, Proposing an amendment to Sections 2 and 4 of Article VI of the Constitution of the State of Texas so as to repeal the provision making payment of the poll tax a requirement for voting and so as to authorize the Legislature to provide for the registration of all voters.

The resolution was read second time.

Senator Kazen offered the following committee amendment to the resolution:

Amend S. J. R. No. 1, Sub-section 2 of Section 1 by striking out the words and figures, "February 1, 1964," and substituting in lieu thereof the words and figures, "February 1, 1965."

The committee amendment was adopted.

Senator Kazen offered the following committee amendment to the resolution:

Amend S. J. R. 1, Section 2, by striking out the words and figures "September 14, 1963," and substituting in lieu thereof the following: "the first Tuesday after the first Monday in November, 1964."

The committee amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

Question—Shall S. J. R. No. 1 be passed to engrossment?

Senate Bill 423 Ordered Not Printed

On motion of Senator Blanchard and by unanimous consent S. B. No. 422 was ordered not printed.

Senate Bill 326 Ordered Not Printed

On motion of Senator Blanchard and by unanimous consent S. B. No. 326 was ordered not printed.

Motion to Place Senate Joint Resolution 21 on Second Reading

Senator Moore asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 21 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S. J. R. No. 21 for consideration at this time.

The motion was lost by the following vote (not having received two-thirds vote of the Members present):

Yeas—19

Aikin	Moore
Colson	Patman
Creighton	Ratliff
Crump	Richter
Dies	Rogers
Hall	Spears
Harrington	Strong
Kennard	Watson
Krueger	Word
Moffett	

Nays—10

Bates	Hazlewood
Blanchard	Kazen
Calhoun	Parkhouse
Cole	Reagan
Hardeman	Schwartz

Absent

Herring	Owen
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Reason for Vote

I voted "No" on the motion to suspend the rules to take up S. J. R. No.

21 because at the time the motion was made the Senate was in debate on S. J. R. No. 1 to abolish the poll tax. I intend to vote for S. J. R. No. 21 in the regular course of Senate business.

SCHWARTZ.

Leave of Absence

Senator Schwartz was granted leave of absence for the remainder of today on account of illness in the family on motion of Senator Parkhouse.

(President in the Chair.)

Senate Joint Resolution 1 on Second Reading

The Senate resumed the consideration of S. J. R. No. 1.

Question—Shall S. J. R. No. 1 as amended be passed to engrossment?

The resolution was then passed to engrossment.

Record of Votes

Senators Parkhouse and Ratliff asked to be recorded as voting "Nay" on the passage of S. J. R. No. 1 to engrossment.

Motion to Place Senate Joint Resolution 1 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rules 32 and 45 required resolutions to be read on three several days be suspended and that S. J. R. No. 1 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—21

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Spears
Hall	Strong
Harrington	Watson
Hazlewood	Word
Kazen	

Nays—6

Calhoun	Parkhouse
Crump	Ratliff
Hardeman	Rogers

Absent

Herring Owen
Moffett

Absent—Excused

Schwartz

Senate Joint Resolution 21 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas, amending Sections 51a and 51-b-1 of Article III so that same shall consist of one Section to be known as Section 51-a; providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to (1) citizens of Texas who are needy aged persons over the age of sixty-five (65) years, (2) needy persons who are at least eighteen (18) years of age and less than sixty-five (65) years of age who are permanently and totally disabled, (3) needy blind persons over the age of twenty-one (21) years, and (4) needy children under the age of sixteen (16) years; authorizing the Legislature to set up residence requirements for eligibility for such assistance; repealing the Constitutional limit on the amount paid out of State funds to individual recipients of Old Age Assistance and Aid to the Permanently and Totally Disabled; removing the overall ceiling and providing that the amounts for such assistance payments shall not exceed the amounts that are matchable out of Federal funds for such purposes, etc.; and declaring an emergency.

The resolution was read the second time and was passed to engrossment.

Record of Votes

Senators Hardeman and Calhoun asked to be recorded as voting "Nay" on the passage of S. J. R. No. 21 to engrossment.

Senate Joint Resolution 21 on Third Reading

Senator Moore moved that the Con-

stitutional Rule and Senate Rules 32 and 45 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vot:

Yas—22

Aikin	Krueger
Bates	Moore
Blanchard	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Spears
Harrington	Strong
Kazen	Watson
Kennard	Word

Nays—4

Calhoun	Hardeman
Cole	Parkhouse

Absent

Hazlewood	Moffett
Herring	Owen

Absent—Excused

Schwartz

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—21

Aikin	Moore
Bates	Patman
Cole	Ratliff
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Spears
Hall	Strong
Harrington	Watson
Kazen	Word
Krueger	

Nays—4

Blanchard	Hardeman
Calhoun	Hazlewood

Absent

Herring	Moffett
Kennard	Owen

PAIRED

Senator Parkhouse (present) who would vote Nay; Senator Schwartz (absent) who would vote Yea.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 45, In memory of Walter Prescott Webb.

Senate Bill 433 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Blanchard:

S. B. No. 433, A bill to be entitled "An Act providing for the election of school trustees by separate positions in certain independent school districts; providing that when the Board of Trustees adopts the procedure herein it may not rescind such action; repealing all laws in conflict except statutes providing for election of school trustees by position and number; and declaring an emergency."

To the Committee on Education.

Motion to Place Senate Bill on First Reading

Senator Blanchard moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion was lost by the following vote (not receiving four-fifth vote of the Members of the Senate):

Yeas—22

Aikin	Kazen
Bates	Parkhouse
Blanchard	Patman
Calhoun	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Spears
Hardeman	Strong
Harrington	Watson
Hazlewood	Word

Nays—3

Creighton
Krueger

Moore

Absent

Cole
Herring
KennardMoffett
Owen

Absent—Excused

Schwartz

House Bill 496 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 496 was ordered not printed.

(Senator Calhoun in the Chair.)

Motion to Place Senate Joint Resolution 25 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 25 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up S. J. R. No. 25 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Blanchard
Calhoun
Cole
Colson
Creighton
Crump
Dies
Hazlewood
HerringKrueger
Moffett
Moore
Ratliff
Richter
Rogers
Spears
Strong
Word

Nays—11

Aikin
Bates
Hall
Hardeman
Harrington
KazenKennard
Parkhouse
Patman
Reagan
Watson

Absent

Owen

Absent—Excused

Schwartz

Senate Joint Resolution 23 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 23, Proposing an amendment to Section 3-b of Article VII of the Constitution of Texas, relating to school taxes and bonds voted in certain independent school districts in Dallas County, etc.; and declaring an emergency.

The resolution was read second time.

Senator Kennard offered the following committee amendment to the resolution:

Amend S. J. R. No. 23 by striking Section 1 thereof and substituting in lieu thereof the following:

Section 1. That Section 3-b of Article VII of the Constitution of Texas be amended to read as follows:

"Section 3-b. No tax for the maintenance of public free schools voted in any independent school district, the major portion of which is located in Dallas County, Bear County, Tarrant County or Travis County, nor any bonds voted in any such district, but unissued, shall be abrogated, canceled or invalidated by change of any kind of the boundaries thereof. After any change in boundaries, the governing body of any such district, without the necessity of an additional election, shall have the power to assess, levy and collect ad valorem taxes on all taxable property within the boundaries of the district as changed, for the purposes of the maintenance of public free schools and the payment of principal of and interest on all bonded indebtedness outstanding against, or attributable, adjusted or allocated to, such district or any territory therein, in the amount, at the rate, or not to exceed the rate, and in the manner authorized in the district prior to the change in its boundaries, and further in accordance with the laws under which all such bonds, respectively, were voted; and such governing body also shall have the power, without the necessity of an additional election, to sell and deliver any unissued bonds voted in the district prior to any

such change in boundaries, and to assess, levy and collect ad valorem taxes on all taxable property in the district as changed, for the payment of principal of and interest on such bonds in the manner permitted by the laws under which such bonds were voted. In those instances where the boundaries of any such independent school district are changed by the annexation of, or consolidation with, one or more whole school districts, the taxes to be levied for the purposes hereinabove authorized may be in the amount or at not to exceed the rate theretofore voted in the district having at the time of such change the greatest scholastic population according to the latest scholastic census and only the unissued bonds of such district voted prior to such change may be subsequently sold and delivered and any voted, but unissued, bonds of other school districts involved in such annexation or consolidation shall not thereafter be issued."

The committee amendment was adopted.

Senator Kennard offered the following amendment to the resolution:

Amend Section 1 of Committee Amendment No. 1 of Senate Joint Resolution No. 23 by inserting the words "McLennan County Nueces County," between the words "Bexar County" and the words "Tarrant County" in line three (3) of the quoted Section 3b; and by adding a new section, to be known as Section 2, to read as follows:

"Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1964, at which election all ballots shall have printed thereon the following:

"FOR the amendment of Section 3-b, Article VII, of the Constitution of Texas, to provide that school taxes and bonds previously voted in any independent school district, the major portion of which is in Dallas County, Bexar County, McLennan County, Nueces County, Tarrant County, or Travis County, shall not be abrogated, canceled or invalidated by any change in boundaries and authorizing the continuance of the levy of taxes after such change without further election.

"AGAINST the amendment of Section 3-b, Article VII of the Con-

stitution of Texas, to provide that school taxes and bonds previously voted in any independent school district, the major portion of which is in Dallas County, Bexar County, McLennan County, Nueces County, Tarrant County, or Travis County, shall not be abrogated, canceled or invalidated by any change in boundaries and authorizing the continuance of the levy of taxes after such change without further election."

The amendment was adopted.

(President in the Chair.)

On motion of Senator Kennard and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to engrossment.

Senate Joint Resolution 23 on Third Reading

Senator Kennard moved that the Constitutional Rule and Senate Rule 32 and 45 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kennard
Bates	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent

Blanchard	Owen
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Absent—Excused

Schwartz

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Kennard
Bates	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent

Blanchard	Owen
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Absent—Excused

Schwartz

Senate Bill 35 on Second Reading

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 35, A bill to be entitled "An Act amending Chapter 436, Acts of the Forty-fifth Legislature, Regular Session, 1937, as amended, (compiled as Article 5221c, Vernon's Texas Civil Statutes), by adding thereto a new section so as to provide for the extension of the period between internal inspections of certain stationary and unfired boilers; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 35 on Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—29

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Parkhouse	

Absent

Owen

Absent—Excused

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 342 on Second Reading

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 342, A bill to be entitled "An Act transferring control and management of East Texas State College from the Board of Regents of the State Teachers Colleges to the new body to be called the Board of Regents of East Texas State College, etc.; and declaring an emergency."

The bill was read the second time.

Senator Hall offered the following committee amendment to the bill:

Amend S. B. 342, Sec. 2, by striking out the words "and confirmed by" in line 4 of the bill and inserting in lieu the following: "with the advice and consent of."

The committee amendment was adopted.

The bill as amended passed to engrossment.

Record of Vote

Senators Strong and Colson asked to be recorded as voting "Nay" on the passage of S. B. No. 342 to engrossment.

Senate Bill 342 on Third Reading

Senator Hall moved that the Con-

stitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Herring
Bates	Kazen
Blanchard	Krueger
Calhoun	Moffett
Cole	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Rogers
Hardeman	Spears
Harrington	Watson
Hazlewood	Word

Nays—3

Colson	Strong
Richter	

Absent

Kennard	Owen
Moore	

Absent—Excused

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Dies, Strong and Colson asked to be recorded as voting "Nay" on the final passag of S. B. No. 342.

Senate Bill 243 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 243, A bill to be entitled "An Act amending Chapter 148, Acts of the 42nd Legislature, 1931, as amended (compiled as Article 6081e of Vernon's Texas Civil Statutes), so as to allow cities and counties to acquire historical museums, buildings, sites and landmarks, and sites of arch-

aeological or paleontological interest; and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend S. B. No. 243 by striking out the words "or by condemnation proceedings" in line 31, Section 1.

The amendment was read.

Question on adoption of the amendment, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—11

Bates	Hardeman
Blanchard	Parkhouse
Calhoun	Ratliff
Cole	Rogers
Crump	Word
Hall	

Nays—15

Aikin	Krueger
Colson	Moore
Creighton	Patman
Dies	Reagan
Harrington	Richter
Herring	Spears
Kazen	Watson
Kennard	

Absent

Hazlewood	Owen
Moffett	Strong

Absent—Excused

Schwartz

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 243, Section 1, by striking out all the language beginning with the word "or" in line 32 and ending with the word "features" in line 39.

The amendment was read.

Senator Krueger moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—15

Aikin	Creighton
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Dies	Patman
Harrington	Reagan
Herring	Richter
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moore	

Nays—14

Bates	Hardeman
Blanchard	Hazlewood
Calhoun	Moffett
Cole	Parkhouse
Colson	Ratliff
Crump	Rogers
Hall	Word

Absent

Owen

Absent—Excused

Schwartz

The bill was then passed to engrossment.

Record of Votes

Senators Hardeman, Parkhouse, Calhoun, Crump, Blanchard and Rogers asked to be recorded as voting "Nay" on the passage of S. B. No. 243 to engrossment.

Motion to Place**Senate Bill 243 on Third Reading**

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 243 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—21

Aikin	Krueger
Bates	Moffett
Cole	Moore
Colson	Patman
Creighton	Ratliff
Dies	Reagan
Hall	Richter
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	

Nays—7

Blanchard	Calhoun
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Parkhouse	Crump
Rogers	Hardeman
Word	

Absent

Hazlewood	Owen
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Absent—Excused

Schwartz

Co-author of Senate Joint Resolution 7

On motion of Senator Strong and by unanimous consent he will be shown as co-author of S. J. R. No. 7.

Notice for Local and Uncontested Bill Sessions

On motion of Senator Calhoun and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on Thursday, March 21, 1963, at 9:00 o'clock a.m.

Special Notice on Senate Bill 132

Senator Creighton gave notice that he would on Monday, March 25, 1963 move to suspend the rules to consider S. B. No. 132.

Welcome Resolutions

S. R. No. 287—By Senator Herring: Extending welcome to students and teachers of Round Rock Elementary School.

S. R. No. 288—By Senator Spears: Extending welcome to students, teacher and sponsors of Rayburn Junior High School.

Memorial Resolutions

S. R. No. 280—By Senators Calhoun, Aikin and Hall: Memorial resolution for Dr. William Nathan Wilks.

S. R. No. 283—By Senator Blanchard: Memorial resolution for Thomas Carlisle Roundtree.

Adjournment

On motion of Senator Moffett the Senate at 4:48 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

In Memory of Stuart Malcolm McGregor

Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 39)

Whereas, Texas journalism has suffered a great loss in the death of Stuart Malcolm McGregor, associate editor of the Dallas Morning News and for 40 years editor of the Texas Almanac; and

Whereas, Mr. McGregor, who had been a member of the Dallas Morning News staff since January 1, 1928, died on March 14, 1968; and

Whereas, The Texas Almanac, under his meticulous and orderly editorship, has come to be regarded as a bible of information on Texas, and although he never sought credit or fame, he personally did almost all the work of compiling the Almanac himself; and

Whereas, A newspaperman with an enormous storehouse of facts and a tremendous capacity for work, he was credited with knowing more about Texas than any other man; and

Whereas, His interest in the state went far beyond the scholarly facts he recorded in the Almanac; he loved to travel over the state to watch the sunrise from points on the Cap Rock in West Texas; he delighted in the sight of the golden wheatfields of the Panhandle; and

Whereas, Born on a farm near Coleman, Texas, on February 24, 1892, Mr. McGregor credited his father, Jesse McGregor, with his interest in reading; the father rigged an umbrella over his plow so he could read while working, taught his son astronomy, and saw that his family had good magazines and periodicals to read; and

Whereas, Stuart McGregor was a graduate of Coleman High School and earned his pay through The University of Texas by cutting lawns, chauffeuring, and pumping an organ in an Episcopal Church; and

Whereas, He received his bachelor of arts degree in 1914 and was the recipient of the first master of journalism degree ever awarded by the University; and

Whereas, After serving in the U. S. naval aviation program in World War I, he began his newspaper career on the Austin American and Statesman and served for a time as public relations manager of the old Texas Chamber of Commerce before joining the Dallas Morning News staff; and

Whereas, He was noted for his constant and careful rechecking of facts and kept on his office wall a framed motto reading "Pi equals 3.14159265358979323846 plus" as a constant reminder that no figure for Pi can ever exactly state the mathematical relationship of a circle's circumference to its radius; and

Whereas, He was an expert with an engineer's slide rule, an avid collector of pencils, and a devotee of tennis, which he often played with his good friend the late Lynn Landrum of the Dallas News staff; and

Whereas, He is survived by his wife and a son, Stuart Malcolm McGregor Jr. of Corpus Christi; now, therefore, be it

Resolved, By the Senate of the 58th Legislature of Texas, the House of Representatives concurring, That the Legislature pay tribute to the life and work of Stuart McGregor and recognize with appreciation his lasting contribution to the State of Texas and its citizens through his 40-year editorship of the Texas Almanac; and be it further

Resolved, That a copy of this resolution be sent to his family as a token of our sympathy and regard, and that when the Legislature adjourns this day it do so in memory of Stuart Malcolm McGregor.

PARKHOUSE

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Haslewood, Herring, Kasen, Kennard, Krueger, Moffett, Moore, Owen, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Alvis Ray Meuth

Senator Crump offered the following resolution:

(Senate Resolution 281)

Whereas, In the untimely passing of Alvis Ray Meuth on the tenth of March, 1963, the community of Fredericksburg lost an esteemed citizen; and

Whereas, The Texas Senate wishes to pay tribute to his life; and

Whereas, He was the son of Mr. and Mrs. Frank L. Meuth, born September 25, 1929, in Bastrop County; and

Whereas, He was President of the Southwest Agriculture Commodity Co-Operative, Vice President of the W. E. Fricke Company; and

Whereas, He was engaged in civic endeavors in his community, working actively in the Fredericksburg Junior Chamber of Commerce, having been a former director and a national and state coordinator of that organization; and

Whereas, He was active in local and state politics, having been a member of the Gillespie County Democratic Committee; and

Whereas, He is survived by his wife, Betsy Oldham Meuth, and his two daughters, Frankie Charlene Meuth and Ray Ann Meuth; now, therefore, be it

Resolved, That the Senate of Texas hereby express its sincere sympathy to the members of his family, and that copies of this resolution be forwarded to them; and, be it further

Resolved, That when the Senate adjourns today it do so in his honor and memory and that a page in the permanent Senate Journal be devoted to the recording of this resolution.

CRUMP

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
W. E. (Billy) Fricke

Senator Crump offered the following resolution:

(Senate Resolution 282)

Whereas, A tragic accident on March 10, 1963, brought about the untimely death of Mr. W. E. (Billy) Fricke; and

Whereas, The community of Fredericksburg has lost a highly-respected business and civic leader in the passing of this fine young man; and

Whereas, Mr. Fricke was a native Texan, observing Texas Independence Day, March 2, as his birthday; and

Whereas, He was born in 1929, son of Lydia Aulene and H. H. Fricke, in Lexington, Lee County, Texas, and moved to Fredericksburg, Gillespie County, Texas, in 1947; and

Whereas, Mr. Fricke was a prominent business man, having been president of the Quality Peanut Company, a nation-wide operation. He was an officer in Quality Oil Company; in the W. E. Fricke Trucking Company; and in the Southwest Agriculture Commodity Co-op; and

Whereas, He contributed much to the civic and religious life of the community, working as a member of the Methodist Church. He was active in the Fredericksburg Chamber of Commerce, and in the Junior Chamber of Commerce, having served as president of that organization in 1956-1957; and

Whereas, He took a keen interest in politics, having served as Chairman of Gillespie County Democratic Executive Committee; and

Whereas, He is survived by his wife, Doris Ringer Fricke; a son, Jeffrey Fricke; and daughter, Alaine Lynn Fricke; now, therefore, be it

Resolved, That it is the desire of the Senate to recognize and pay tribute to the life of this outstanding citizen, Billy Fricke; and, be it further

Resolved, That when the Senate adjourns today it do so in his honor and memory; that a page in the Senate Journal be devoted to the recording of this Resolution; and that copies of this Resolution be sent to the members of his family as a token of respect and sympathy.

CRUMP

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Moore and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Dr. Sam B. McAlister

Senator Creighton offered the following resolution:

(Senate Resolution 286)

Whereas, God in His infinite wisdom, called from these earthly labors Dr. Sam B. McAlister of Denton, Denton County, Texas, on March 18, 1963; and

Whereas, Dr. McAlister was a native of Venus, Texas, but resided for many years in the City of Denton, where he served on the faculty of North Texas State University and was recognized as one of the State's foremost authorities on Texas constitutional law; and

Whereas, This well-known professor of government had been a member of the faculty of North Texas State University for more than 37 years and was Director of the Government Department and Chairman of the Division of Social Science; and

Whereas, Dr. McAlister was one of only five members of the faculty of North Texas State University ever to hold the title of Distinguished Professor; and

Whereas, Dr. McAlister was an able organizer, an effective speaker and author, and a man who will long be remembered for his friendliness and his cheerful manner, as well as for his devotion to his profession, family, and friends; now, therefore, be it

Resolved, By the Senate of Texas that when the Senate adjourns today it do so in honor and respect to the memory of this distinguished citizen; that a page in the Senate Journal be set aside in his memory; and that a copy of this Resolution be sent to his wife, three brothers, Dan R. McAlister of Denton, Will McAlister of Cleburne, and Raymond McAlister of Venus, and his four sisters, Mrs. Kate Lightfoot and Mrs. Ethel Crowe of Alvarado, Mrs. C. H. Roberts of Dikedom, Tennessee, and Mrs. Lucy Goetz of Fort Worth.

The resolution was read and was adopted by a rising vote of the Senate.